



General Assembly

Substitute Bill No. 5647

February Session, 2006

* _____HB05647LAB____032106_____*

**AN ACT CONCERNING CERTAIN ELIGIBILITY REQUIREMENTS FOR
UNEMPLOYMENT COMPENSATION CLAIMANTS WITH A
DISABILITY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-235 of the 2006 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2006*):

4 (a) An unemployed individual shall be eligible to receive benefits
5 with respect to any week only if it has been found that (1) [he] such
6 individual has made claim for benefits in accordance with the
7 provisions of section 31-240 and has registered for work at the public
8 employment bureau or other agency designated by the administrator
9 within such time limits, with such frequency and in such manner as
10 the administrator may prescribe, provided failure to comply with this
11 condition may be excused by the administrator upon a showing of
12 good cause therefor; (2) except as provided in subsection (b) of this
13 section, [he] such individual is physically and mentally able to work
14 and is available for work and has been and is making reasonable
15 efforts to obtain work, provided [he] the individual shall not be
16 considered to be unavailable for work solely because [he] the
17 individual is attending a school, college or university as a regularly
18 enrolled student during [his] the separation from employment, within
19 the limitations of subdivision (6) of subsection (a) of section 31-236,

20 and provided further, [he] the individual shall not be considered to be
21 lacking in [his] efforts to obtain work if, as a student, [he restricts] such
22 efforts are restricted to employment which does not conflict with [his]
23 the individual's regular class hours as a student, and provided the
24 administrator shall not use prior "patterns of unemployment" of the
25 individual to determine whether [he] the individual is available for
26 work; (3) [he] such individual has been paid wages by an employer
27 who was subject to the provisions of this chapter during the base
28 period of [his] the current benefit year in an amount at least equal to
29 forty times [his] the individual's benefit rate for total unemployment,
30 provided an unemployed individual who is sixty-two years of age or
31 older and is involuntarily retired under a compulsory retirement
32 policy or contract provision shall be eligible for benefits with respect to
33 any week, notwithstanding subdivisions (1) and (2) of this subsection,
34 if it is found by the administrator that [he] the individual has made
35 claim for benefits in accordance with the provisions of section 31-240,
36 has registered for work at the public employment bureau, is physically
37 and mentally able to work, is available for work, meets the
38 requirements of this subdivision and has not refused suitable work to
39 which [he] the individual has been referred by the administrator; (4)
40 [he] such individual participates in reemployment services, such as job
41 search assistance services, if the individual has been determined to be
42 likely to exhaust regular benefits and need reemployment services
43 pursuant to a profiling system established by the administrator unless
44 the administrator determines that (A) the individual has completed
45 such services, or (B) there is justifiable cause for the individual's failure
46 to participate in such services. The administrator shall adopt
47 regulations, in accordance with the provisions of chapter 54, for the
48 administration of the profiling system. For purposes of subdivision (2)
49 of this subsection, "patterns of unemployment" means regularly
50 recurring periods of unemployment of the claimant in the years prior
51 to [his] filing the claim in question.

52 (b) The provisions of subdivision (2) of subsection (a) of this section
53 relating to the eligibility of students for benefits shall not be applicable

54 to any claimant who attended a school, college or university as a
 55 regularly enrolled full-time student at any time during the two years
 56 prior to [his] such claimant's date of separation from employment,
 57 unless such claimant was employed on a full-time basis, as determined
 58 by the administrator, for the two years prior to such date.

59 (c) (1) Notwithstanding the provisions of subsection (a) or (b) of this
 60 section, an unemployed individual may limit such individual's
 61 availability for work to part-time employment, provided the
 62 individual (A) provides documentation from a licensed physician that
 63 (i) the individual has a physical or mental impairment that is chronic
 64 or is expected to be long-term or permanent in nature, and (ii) the
 65 individual is unable to work full-time because of such impairment, and
 66 (B) establishes, to the satisfaction of the administrator, that such
 67 limitation does not effectively remove such individual from the labor
 68 force.

69 (2) In determining whether the individual has satisfied the
 70 requirements of subparagraph (B) of subdivision (1) of this subsection,
 71 the administrator shall consider the individual's work history, efforts
 72 to find work, the hours such individual is medically permitted to work
 73 and the individual's availability during such hours for work that is
 74 suitable in light of the individual's impairment.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2006	31-235
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LAB *Joint Favorable Subst.*